

HOUSE BILL REPORT

HB 1878

As Reported by House Committee On:
Commerce & Labor

Title: An act relating to protecting the title of registered interior designer.

Brief Description: Creating the registered interior designer professionals act of 2005.

Sponsors: Representatives Conway, Wood, Jarrett, Kessler and Linville.

Brief History:

Committee Activity:

Commerce & Labor: 2/16/05, 3/2/05 [DPS].

Brief Summary of Substitute Bill

- Establishes a system of registration for interior designers, and sets criteria for becoming registered.
- Allows only those who are registered to use the title "registered interior designer;" however, others may practice interior design.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Conway, Chair; Wood, Vice Chair; Crouse, Hudgins and McCoy.

Minority Report: Do not pass. Signed by 2 members: Representatives Condotta, Ranking Minority Member; and Sump, Assistant Ranking Minority Member.

Staff: Rebekah Ward (786-7106).

Background:

Interior design is not regulated in Washington. Anyone may do interior design work and anyone may use the title interior designer.

As they are not required to register, the number of individuals who do interior design as a profession is not known for certain. The Department of Licensing (Department) estimates there are approximately 1,500 interior designers practicing in Washington.

Depending on the type of design services provided and the size of the project that requires a building permit, some local building officials require plans prepared by an interior designer be approved by an architect or engineer before being submitted to a state or local building department for the purpose of securing a building permit.

The National Council for Interior Design Qualification (Council), a professional organization, certifies interior designers based on examination, experience, and education. Twenty-four jurisdictions including the District of Columbia and Puerto Rico currently regulate licensure and certification of the interior design profession.

Summary of Substitute Bill:

A system of regulation for interior designers is established in the Department and qualifications for registering as an interior designer are established.

Qualifications. Beginning July 1, 2006, to register as a interior designer, an individual must meet the following requirements:

- be certified by the Council;
- have a total of six years of work experience and formal education in interior design, of which at least two years must be formal education in the field. The curriculum should encompass specified topics, such as manual and computer-aided design, two and three dimensional design, design and composition fundamentals, color theory, building systems, material, finishes and specifications, codes and ordinances, presentation skills, and business practices management; and
- pay the licensing fee established by the Department, which must cover the costs of establishing and maintaining the registration program.

Grandfathering. Until July 1, 2007, an individual who has worked for 15 years as an interior designer and completed at least two years of formal education in the field may also register as an interior designer.

Reciprocity. The Department may grant registration to an individual who is certified by the Council and registered or licensed by another state that has qualifications substantially equivalent to those of Washington.

Continuing Education. Registered interior designers must complete 10 hours of continuing education every two years.

Restriction on Use of Title. After July 1, 2007, only registered interior designers may use the title "registered interior designer" in Washington. However, other individuals may practice interior design and call themselves "interior designers," as long as they do not use the title "registered interior designer."

Penalties. Violations are misdemeanors and may in some circumstances be subject to civil penalties up to \$5,000. Cease and desist orders may also be issued by the Department for unlicensed practice.

These provisions do not affect the practice of architecture or engineering.

Substitute Bill Compared to Original Bill:

The original bill establishes a system of registration for interior designers, and sets criteria for becoming registered. The bill allows only those who are registered to use the title "registered interior designer," but others may practice interior design. The substitute bill eliminates the line item authority/requirement for the Department to develop a rule to verify completion of continuing education hours, and to adopt renewal fees, penalty fees, and the frequency for renewals. Although the substitute bill eliminates these line item requirements, the substitute bill adopts the Uniform Business and Professions Act (Act) and fills the gap in this authority. The substitute bill also applies the Act for issuance and denials of certificates of registration and to the discipline of registrants. The Act also applies to the Department's authority to issue cease and desist orders to individuals not registered under the Act. The substitute bill also creates an Interior Design Account in the State Treasury, and designates the Interior Design Account for receipt of fees and fines collected under the Act.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This profession affects the health, safety, and welfare of the public. One example of how this profession affects the health, safety, and welfare of the public includes the potential fire and smoke hazards that are created or affected by interior design. Additionally, exit access and travel distance from the most remote point of a room or building to the exit, and placement of furniture that is between these two points are safety concerns that are dealt with in the training of this profession.

The industry is also constantly changing and evolving. For example, occupancy types such as dorms, are creating new standards for dealing with combustible materials. Items that are or will be effected by these standards include draperies, wall hangings, and other design specifications.

There is a need to promote consumer knowledge and the profession as a whole. Architectural firms support the need to regulate this profession as well, especially because of the impact of fire and safety on space systems.

There is only one Foundation for Interior Design Education Research (FIDER) accredited school in Washington (Washington State University) for interior design degree programs, and the requirements for other programs to become accredited involve extra time on the part of

students and faculty in logging student's work, and other applicable costs and fees; this is an obstacle that will likely keep other programs from pursuing the FIDER accreditation. There is no requirement to sit for the National Council for Interior Design Qualification (Council) exam at this time, but the Council exam can be taken without FIDER accreditation. The Council recommends work under a licensed or registered interior designer or architect and this recognizes the importance of mentorship. Additionally, a study by the Council is completed every five years to review the effects of the profession on the health and safety of the public. Currently, there is an ongoing study for tenant improvement, and safety egress. There is also constant review of the Council exam for validity and fairness, and the five year rewrite and reworking of the exam is currently occurring. The Council requires a combination of six years of education and work experience.

Testimony Against: There is a recognition of the value of interior designers as colleagues of architects, but there is no need to regulate the profession because of the public health and welfare concerns that have been articulated by those in support of the bill. Rather, we should be looking to what other states are doing in this area. Colorado and Nevada for example have utilized sunrise reviews, and this has never been dealt with in Washington. Half of the states that do regulate the profession use the term certified and Washington is entering a declining market in this area. Regulation of this profession right now would undermine the FIDER accreditation of Washington State University, and the purpose of accreditation is not arbitrary. FIDER accreditation should be recognized and identified in the bill. Furthermore, the grandfathering provisions allow for work experience without supervision, and there is no requirement to take an exam. The title of "registered interior professionals" is an attempt to expand the scope of practice beyond the International Business Code standards.

Persons Testifying: (In support) Lisa Thatcher, Stephanie Deshaies, Ernest Rhoads, and Emily Moses, Interior Design Coalition of Washington.

(Opposed) Stan Bowman, American Institute of Architects Washington Council; and Tim Layton, Architects and Engineers Legislative Council.

Persons Signed In To Testify But Not Testifying: None.